

04-10-03

3623/14  
9D-EC-19319  
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pennisi, Jr. :  
Serial No.: 09/475,962 : Art Unit: 3623  
Filed: December 30, 1999 : Examiner: B. Van Doren  
For: CAPACITY MONITORING SYSTEM FOR A :  
GOODS DELIVERY SYSTEM :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

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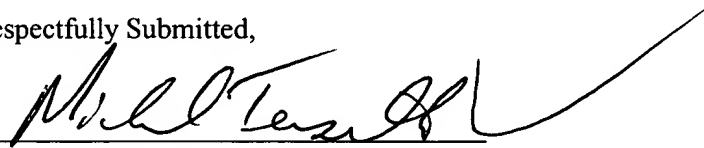
Date of Mailing: April 9, 2003

I certify that the attached, including:

- Amendment (9 pgs.), in response to Office Action dated December 18, 2002
- Submission of Marked Up Claims (5 pgs.)
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Respectfully Submitted,

  
Michael Tersillo, Reg.: No. 42,180  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
(314) 621-5070

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*April 17 2003*  
*Patent*  
*9D-FC-19319*  
*Ext of time*  
*1mo*  
*Granted*

Applicant: Pennisi, Jr.

Serial No.: 09/475,962

Filed: December 30, 1999

For: CAPACITY MONITORING SYSTEM FOR A  
GOODS DELIVERY SYSTEM

:  
: Art Unit: 3623  
:  
: Examiner: B. Van Doren  
:  
:

Commissioner for Patents  
Washington, D.C. 20231

### AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

### STATUS

2. Applicant is  
\_\_\_ a small entity. A verified statement:  
\_\_\_ is attached.  
\_\_\_ was already filed.  
☒ other than a small entity.

**RECEIVED**  
APR 15 2003  
**GROUP 3600**

### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

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\_\_\_ transmitted by facsimile to the Patent and  
Trademark Office

Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Tersillo, Reg. No. 42,180

04/11/2003 MDANTE1 00000034 012384 09475962

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*AKS*  
*pd*

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 870.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,510.00	\$ 755.00

Fee: \$110.00

If an additional extension of time is required, please consider this a petition therefor.

*(Check and complete the next item, if applicable)*

☐ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_.

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE OR RATE
TOTAL	MINUS	*20	=	x \$11 = \$	x \$22 = \$-0-
INDEP.	MINUS	**3	=	x \$41 = \$	x \$82 = \$-0-
___ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$135 = \$	+ \$270 = \$-0-
				TOTAL ADDIT. FEE \$	OR TOTAL ADDIT. FEE \$-0-

- (c)
- ☒
- No additional fee for Claims is required.

**OR**

- (d) \_\_\_ Total additional fee for claims required \$

**FEE PAYMENT**

5. \_\_\_ Attached is a check in the sum of \$\_\_\_

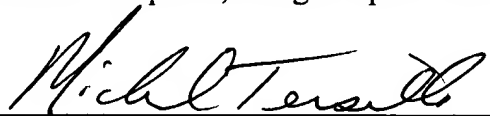
☒ Charge Deposit Account No. 01-2384 the sum of \$110.00  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

- 6.
- ☒
- If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

**AND/OR**

☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

  
Michael Tersillo, Registration No. 42,180  
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One Metropolitan Square, Suite 2600  
St. Louis, MO 63102  
314/621-5070



9D-EQ-19519  
PATENT  
April 17, 2003  
#13/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pennisi, Jr.

Serial No.: 09/475,962

Filed: December 30, 1999

For: CAPACITY MONITORING SYSTEM FOR  
A GOODS DELIVERY SYSTEM

Art Unit: 3623

Examiner: B. Van Doren

AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

In response to the Office Action dated December 18, 2002, please amend the above-identified patent application as follows.

IN THE SPECIFICATION

On page 1, please delete the paragraph starting on line 3 and replace with the following:

This application is related to co-pending U.S. Patent Application, Serial No. 09/475,360, entitled "Internet Based Goods Delivery System", filed on December 30, 1999, assigned to the assignee of the present invention, and herein incorporated by reference. This application is also related to co-pending U.S. Patent Application, Serial No. 09/475,961, entitled "Delivery Management System", filed on December 30, 1999, assigned to the assignee of the present invention, and herein incorporated by reference.

On page 5, please delete the paragraph starting on line 5 and replace with the following:

The delivery management system facilitates the scheduling of all deliveries from supplier 152 to buyer 156 by delivery agent 212, based on delivery date selection at the point-of-sale.

The point-of-sale may, by way of example and not limitation, be respective store 158, respective